

BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

WASHINGTON STATE UNIVERSITY,

Appellant,

v.

MARC ANDERSON,

Respondent.

Case No. ALLO-04-0005

ORDER OF THE BOARD FOLLOWING  
HEARING ON EXCEPTIONS TO THE  
DETERMINATION OF THE DIRECTOR

**Hearing on Exceptions.** This appeal came on for hearing before the Personnel Appeals Board, GERALD L. MORGEN, Vice Chair, and BUSSE NUTLEY, Member, on Washington State University's (WSU) exceptions to the director's determination dated January 29, 2004. The hearing was held at the Personnel Appeals Board, 2828 Capitol Boulevard, Olympia, Washington, on September 17, 2004.

**Appearances.** Lisa Gehring, Human Resource Manager, represented Washington State University. Employee Marc Anderson was represented by Larry Goodman of Larry Goodman and Associates LLC.

**Background.** In August 2003, employee Marc Anderson requested that his position as a Construction and Maintenance Mechanic be reallocated to the Construction and Maintenance Mechanic Lead position. By memo dated October 28, 2003, Roger Gissel, Human Resource Supervisor conducted a position review and concluded Mr. Anderson's position number 04028 was properly classified as a Construction and Maintenance Mechanic. Mr. Gissel found that Mr. Anderson performed journal-level work in construction and maintenance and did not have routine

1 responsibility to assign, instruct, or check the work of other employees. On November 17, 2003,  
2 Mr. Anderson appealed WSU's decision to the Department of Personnel (DOP) and submitted a  
3 classification Questionnaire (CQ) dated August 20, 2003. Mr. Anderson requested his position be  
4 reallocated to a Construction and Maintenance Mechanic Lead. On January 29, 2004, the director's  
5 designee notified the parties Mr. Anderson's position should be reallocated to Construction and  
6 Maintenance Mechanic Lead on a "best-fit" basis because he independently developed work  
7 procedures with little supervision on a daily basis. On February 20, 2004, WSU filed an appeal  
8 with the Personnel Appeals Board.

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10 **Summary of WSU's Argument.** WSU argues that Mr. Anderson's position cannot be allocated to  
11 a lead position because he does not perform lead responsibilities. WSU asserts that in order for an  
12 employee to be classified as a lead, he/she must perform lead duties and lead or supervise at least  
13 one full-time employee (FTE).

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15 **Summary of employee Marc Anderson's Argument.** Mr. Anderson argues he clearly performs  
16 work encompassed by the Construction and Maintenance Mechanic Lead position. Mr. Anderson  
17 asserts he has assumed the duties of his former lead worker, and his duties go beyond a journey  
18 level mechanic. Mr. Anderson contends he works independently and is responsible for prioritizing  
19 his work and developing his own work methods and procedures. Mr. Anderson further contends  
20 that he interacts with private contractors and provides occasional guidance to contracted employees  
21 working on projects. Mr. Anderson argues the totality of his duties relate to the higher-level  
22 construction and maintenance position on a "best-fit" basis.

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24 **Primary Issue.** Whether the director's determination that Appellant's position is properly allocated  
25 to the Program Coordinator classification should be affirmed.

1 **Relevant Classifications.** Construction and Maintenance Mechanic, class code 5246; Construction  
2 and Maintenance Mechanic Lead, class code 5247.

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4 **Decision of the Board.** The purpose of a position review is to determine which classification best  
5 describes the overall duties and responsibilities of a position. A position review is neither a  
6 measurement of the volume of work performed, nor an evaluation of the expertise with which that  
7 work is performed. Also, a position review is not a comparison of work performed by employees in  
8 similar positions. A position review is a comparison of the duties and responsibilities of a particular  
9 position to the available classification specifications. This review results in a determination of the  
10 class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v.  
11 Washington State University, PAB Case No. 3722-A2 (1994).

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13 The primary issue here is whether Mr. Anderson performs lead duty work, and whether he performs  
14 this lead work a significant amount of the time to warrant reallocation to the lead classification.

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16 The basic function of the Construction and Maintenance Mechanic states, “[p]erform journey-level  
17 work in at least two skilled trades areas constructing, remodeling, repairing, and maintaining of  
18 buildings, facilities, utilities, machinery, and equipment.”

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20 The basic function of the Construction and Maintenance Mechanic Lead states, “[l]ead  
21 others and perform work in new construction, remodeling, repair, and maintenance of  
22 building, facilities, utilities, machinery, and equipment.”

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24 The distinguishing characteristics for the lead position state, in relevant part, “[r]egularly  
25 assign, instruct and check the work of others.”  
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2 Mr. Anderson has established that he occasionally performs lead duties. However, WSU has met its  
3 burden of proving that the position is not regularly assigned lead duties. Mr. Anderson may oversee  
4 contract workers at times, but the position does not lead or supervise employees the majority of the  
5 time or on a consistent basis. Therefore, the appeal on exceptions by WSU should be granted, and  
6 the Director's determination dated January 29, 2004, should be reversed.

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8 **ORDER**

9 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by WSU is  
10 granted, and the position is reallocated to a Construction and Maintenance Mechanic.

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12 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

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14 WASHINGTON STATE PERSONNEL APPEALS BOARD

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Gerald L. Morgen, Vice Chair

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Busse Nutley, Member